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Corporation (erroneously sued as Lockheed
Martin Missiles and Space Company, Inc.) and

E-filed 1/4/05

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FRANK MILLER,

Plaintiff,

v.

LOCKHEED MARTIN MISSILES AND
SPACE COMPANY, INC. and JAMES
PESTANA,

Defendants.

Case No. C04-00399 JF

**STIPULATION OF DISMISSAL OF
ACTION**

[Fed.R.Civ.P. 41(a)(1)]

IT IS HEREBY STIPULATED by and between the parties to this action through their
designated counsel that the above-captioned action be and hereby is dismissed with prejudice as
to all defendants pursuant to Fed. R. Civ. Proc. 41(a)(1).

IT IS SO STIPULATED.

Dated: December 20, 2004

By: /s/
Elizabeth Kristen
Counsel for Plaintiff

Dated: December 20, 2004

By: /s/
Thomas M. McInerney
Counsel for Defendants

1 Pursuant to General Order No. 45 X. (B), I attest that concurrence in the filing of this document
2 has been obtained from Defendants' counsel.

3
4 Dated: December 20, 2004

5 Patricia A. Shiu
6 Claudia Center
7 Elizabeth Kristen
8 THE LEGAL AID SOCIETY
9 EMPLOYMENT LAW CENTER

10 By: /s/
11 Elizabeth Kristen

12 Attorney for Plaintiff
13 FRANK MILLER

14
15 1/3/05 IT IS SO ORDERED.

16 /s/electronic signature authorized
17 Judge Jeremy Fogel
18 United States District Court
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